

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN**

**United States of America,**

Plaintiff,

vs.

**D-01 – BABUBHAI RATHOD**

Defendant.

Case No. 1:12-cr-17

**Hon. JANET T. NEFF**

U.S. District Judge

**Hon. HUGH BRENNEMAN**

U.S. Magistrate Judge

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**MOTION FOR LEAVE TO WITHDRAW AS COUNSEL**

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**NOW COMES** James W. Burdick, Counsel to Defendant, and seeks leave of the Court to withdraw as Counsel for Defendant **Babubhai Rathod** in the captioned matter, under Local Rule 57.3(d) and, in support, states as follows:

1. Trial in this matter is scheduled for November 27, 2012, leaving sufficient time for Defendant's new Counsel to complete the process of preparing for trial.
2. Circumstances which prevail at this time preclude current Counsel's continued participation in this matter.
3. Defendant has secured alternative counsel – J. Terrence Dillon of Grand Rapids – who entered his Appearance this date knowing below-signed Counsel would be seeking leave of the Court to withdraw, and who has advised that he will be ready for trial by the trial date.
4. The Defendant has consented to withdrawal of Counsel and the substitution of successor Counsel, J. Terrance Dillon.
5. The government has confirmed that it has no objections to Counsel's withdrawal from

representation of this Defendant so long as this substitution is not urged as a basis for a continuance by this Defendant or his new counsel.

**WHEREFORE**, Counsel seeks leave of this Honorable Court to withdraw as counsel in this matter.

Respectfully Submitted by:

**BURDICK LAW, P.C.**

/s/ James W. Burdick

**JAMES W. BURDICK (P-11397)**

Attorney for Defendant

1760 South Telegraph Road, Suite 300

Bloomfield Hills, Michigan 48302-0183

Ph: (248) 335-5000; Fax: (248) 253-9620

jwb@jwburdicklaw.com

Dated: October 10, 2012

**CERTIFICATE OF SERVICE**

I hereby certify that, on October 10, 2012, I electronically filed the foregoing **Motion for Leave to Withdraw as Counsel** with the Clerk of the Court, United States District Court for the Western District of Michigan, using the ECF system, which will send notification of such filing to the following:

AUSA Raymond Beckering, at ray.beckering@usdoj.gov

AUSA Adam Townshend, at adam.townshend@usdoj.gov

as well as to any other counsel of record.

Respectfully submitted,

**Burdick Law, P.C.**

/s/James W. Burdick

**JAMES W. BURDICK (P-11397)**

Attorney for Defendant

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